IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.1283 OF 2007

Maharashtra Trade Union Congress : Petitioner

V/s.

Sramik Sena & Ors. : Respondents

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Mr.S.K.Talsania with Mr.Mahesh Londhe i/b. M/s.Sanjay Udeshi & Co., for the petitioner.

Mr.A.V.Bukhari with Mr.A.K.Jalisatgi for respondent no.1.

Mr.Y.M.Pendse for respondent no.3.

Mr.Rajendra Gawde i/b. Mr.A.S.Dayal & Associates for respondent no.4.

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CORAM : F.I.REBELLO & R.M.SAVANT,JJ.

DATE : JUNE 26, 2007.

P.C.

Rule.

2. Parties agree that reasons need not be given. Considering the agreement at the Bar, the impugned order is set aside with the following directions:-

(i) The petitioner-Union will be permitted to examine not more than 65 (sixty five) additional witnesses.

These witnesses will, by way of examination-in-chief, file their affidavit and they will only be cross-examined.

(ii) Cross-examination of the witnesses be carried out in the Industrial Court itself.

(iii) The Industrial Court, as far as possible, to complete the recording of evidence and pass judgement not later than six months from today.

(iv) If any documentary evidence comes on record in the course of examination of the witnesses and which was not listed or made available to the parties, it will be open to the respondents to lead evidence by way of witnesses, in order to rebut the said evidence.

3. Rule is made absolute accordingly. No order as to costs.

F.I. REBELLO, J.

R.M. SAVANT, J.